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the author of the volume before us, but because we know of no more timely antidote to the infidel tendencies that we deplore, that we have invited the attention of our readers to this masterly exposition and defence of "the Christian Body and Form." The author has talents and culture that might win for him extensive fame and enduring honor in any department of literature. The offering that he has laid on the altar of faith is of "mind and heart, soul and strength." It is the tribute of well-matured powers, in their deliberate, patient, vigorous exercise. It is worthy of one whose ordination vows have left their ineffaceable impress on his whole mental and spiritual activity. If it shall have, in any quarter, confirmed wavering faith, revived waning reverence, kept the young and impressible fast by the oracles of revealed truth, reclaimed wanderers from the fold of the Divine Shepherd, — this, and not our commendation, will be the reward which these discourses seek and merit — even "a witness in heaven, a record on high."

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ART. VIII. — *The Works of JOHN C. CALHOUN.* Vol. I. *A Disquisition on Government, and a Discourse on the Constitution and Government of the United States.* Edited by RICHARD K. CRALLE. New York: D. Appleton & Co. 1853. 8vo. pp. 406.

MR. CALHOUN'S works are announced for publication in four volumes, the second of which will contain his Speeches in Congress, the third, his Diplomatic Papers and Correspondence, and the fourth, his Life. Only the first volume has as yet appeared, and this contains two elaborate dissertations that had not before appeared in print. The principal portion of these discourses, if not the entire work, was composed, as the editor believes, "between the adjournment of Congress in the spring of 1848, and its meeting in December, 1849." Mr. Calhoun died on the 31st of March, 1850. This volume, therefore, contains his latest thoughts upon the subject, and has the melancholy interest which attaches to the posthumous

work of so distinguished a statesman. It contains his political legacy to his countrymen, — understanding by that term, however, the inhabitants, not of the whole United States, but of the southern portion of the Union, to the support of whose rights and interests his whole political life was devoted. Mr. Calhoun hardly aspired to be considered as an American statesman, — at least, during the last twenty-five years of his public service; he was content, he was even proud, to be viewed only as a Southern statesman. He was the leader of the party which battled for State Rights, — the foremost champion of those doctrines of constitutional law which have not found much favor of late years in any State north of the Potomac. To these doctrines he adhered with singular tenacity; and this work, to which his last thoughts seem to have been given, is far the ablest and most thorough exposition of them that has yet been published. It is written with great earnestness, and an air of perfect sincerity. As the writer had obtained an advanced age, and the failure of health had already admonished him that the sands of life had nearly run out, the promptings of personal ambition could not have guided his pen. He evidently wrote, not for himself, but for the generation which was to remain upon the stage after he had passed away. The great controversy respecting the admission of slavery into the territories recently acquired from Mexico was in prospect, and had even begun, though it had not reached its crisis, while he was engaged upon this work; but it has no especial reference to that subject, or to any other theme of immediate but temporary interest. The sole purpose of the Discourse is to advocate that theory of the Constitution, which, if it were established, would supersede the discussion, in the national councils, of such questions, by rendering any settlement of them impossible except by the unanimous consent of the States.

The style of this work is characteristic, and its literary merits are considerable. The author was too much in earnest, and too severe a reasoner, both in his speeches and his writings, to pay much attention to the mere garb of his thought. "The eloquence of Mr. Calhoun," said Mr. Webster, in a manly and feeling speech which he made in the

Senate of the United States on the day when the decease of his colleague was announced, "the eloquence of Mr. Calhoun, or the manner in which he exhibited his sentiments in public bodies, was part of his intellectual character. It grew out of the qualities of his mind. It was plain, strong, terse, condensed, concise; sometimes impassioned, still always severe. Rejecting ornament, not often seeking far for illustration, his power consisted in the plainness of his propositions, in the closeness of his logic, and in the earnestness and energy of his manner." To this felicitous description of the manner of his great rival, Mr. Webster added a just and noble tribute to the uprightness and purity of his public character.

"Mr. President, he had the basis, the indispensable basis of all high character; and that was unspotted integrity and unimpeached honor. If he had aspirations, they were high, and honorable, and noble. There was nothing grovelling, or low, or meanly selfish, that came near the head or the heart of Mr. Calhoun. Firm in his purpose, perfectly patriotic and honest, as I am sure he was, in the principles that he espoused, and in the measures that he defended, aside from that large regard for the species of distinction that conducted him to eminent stations for the benefit of the republic, I do not believe he had a selfish motive or selfish feeling. However he may have differed from others of us in his political opinions or his political principles, those principles and those opinions will now descend to posterity under the sanction of a great name. He has lived long enough, he has done enough, and he has done it so well, so successfully, so honorably, as to connect himself for all time with the records of his country. He is now an historical character. Those of us who have known him here will find that he has left upon our minds and our hearts a strong and lasting impression of his person, his character, and his public performances, which, while we live, will never be obliterated. We shall hereafter, I am sure, indulge in it as a grateful recollection, that we have lived in his age, that we have been his contemporaries, that we have seen him, and heard him, and known him. We shall delight to speak of him to those who are rising up to fill our places. And, when the time shall come that we ourselves must go, one after another, to our graves, we shall carry with us a deep sense of his genius and character, his honor and integrity, his amiable deportment in private life, and the purity of his exalted patriotism."

As a reasoner, Mr. Calhoun was just, intrepid, and consistent. He traced out his doctrines to their remotest consequences, and shrank from no conclusion that could be legitimately deduced from them, however it might shock the received opinions and common judgments of mankind. Here, indeed, was his great defect as a thinker. He was partially blinded by his own ingenuity and the severity of his logic. The thread of his argument was spun so fine, that ordinary people lost sight of it altogether; his doctrines were pushed so far that they came to be slighted as mere metaphysical refinements. Absorbed in the process of reasoning that led to his result, he could not fairly weigh the practical objections, coming from another quarter, to which his theory was exposed, or he tried to evade them by considerations too subtle to impose on an ordinary understanding. As a statesman, he was deficient in comprehensiveness of view and vigorous common sense. Though he was an active man of business, and sufficiently conversant with the world and the world's affairs, his political speculations had a refined and scholastic air, as if they had emanated from a recluse student or solitary thinker. His arguments, and especially his answers to objections, often appear to be mere logical puzzles, which the reader may not be able to analyze and refute, though they scarcely seem intended to produce conviction.

The excellencies and the defects of Mr. Calhoun's manner and intellectual character are strikingly displayed in this volume. The reasoning in it as refined and subtle as any in Spinoza or Kant; it is nearly as abstract, or as little checked by reference to known facts and previously admitted truths. And the theory of government to which it leads, we had almost said, is as impracticable and incredible as any of their metaphysical speculations. Certainly, the theorist who is obliged to admit, that the form of government which he advocates was never fully exemplified and carried out, except by a confederacy of savages, (that of the Six Nations or Iroquois Indians,) and under the elective monarchy of Poland and the constitution of the Polish Diet, which gave to every member a right to negative any measure, and to stop all proceedings, — such a theorist, we say, has very much the air of

being forced to acknowledge that his doctrine leads to an absurdity. Yet Mr. Calhoun hardly adopts this very conclusion, and has nothing to urge in palliation of it but the statement that "this government lasted, in this form, more than two centuries, embracing the period of Poland's greatest power and renown;" and "the fact that a government, in which the principle was carried to the utmost extreme, not only existed, but existed for so long a period, in great power and splendor, is proof conclusive both of its practicability and its compatibility with the power and permanence of government." Of the Council of the Iroquois Indians, he observes, that, "as in the Polish Diet, each member possessed a veto on its decision, so that nothing could be done without the united consent of all."

"But this, instead of making the Confederacy weak or impracticable, had the opposite effect. It secured harmony in council and action, and with them a great increase of power. The Six Nations, in consequence, became the most powerful of all the Indian tribes within the limits of our country. They carried their conquest and authority far beyond the country they originally occupied."

But where are Poland and the Iroquois Confederacy now? That they once flourished is indisputable; but to maintain that their prosperity arose chiefly from that peculiar feature of their constitutions, which rendered it impossible for any measure to be carried, or any thing to be done, except by unanimous consent, only shows how far a love of paradox, or the slavish adherence to a theory with all its consequences, may blind even an acute mind to the perception of the truth. The Six Nations were indebted for their victories rather to the principle which united them in any sort of a confederacy, however imperfect, than to that which tended to break up their union and expose them separately to all the evils which they brought upon the isolated tribes around them. It is hardly worth while to argue this point; the experience of savages so low in the scale as our North American Indians cannot throw much light upon the principles which ought to govern a confederacy of civilized nations. But let the instance be worth what it may, it is a familiar fact, that the only times when the Indians became really formidable, were

when many of their tribes were united under one able, daring, and politic leader, whose vigor and resolution gave unity to their usually distracted councils. Such leaders were King Philip, Pontiac, Tecumseh, Blackhawk, and Oceola.

Poland furnishes a more significant illustration, but not a more fortunate one for Mr. Calhoun's argument. Montesquieu epigrammatically describes the constitution of this unhappy country, by saying that, "through the great care which it took of the liberty of every one, it caused the oppression of all." Lord Brougham expresses the unanimous opinion of it entertained by European historians and statesmen, when he pronounces it to be "the worst, without any exception, that has ever been established for any length of time in any part of the world — the one which most signally, most constantly, and most inevitably failed to bestow upon its subjects the benefit that all government is formed to dispense — internal tranquillity and security from foreign aggression. Whatever we have already seen of misfortune befalling the country, whatever we are yet to observe of tumult and anarchy in the administration of its affairs, all proceeded directly from this fruitful source of public calamity." And of the characteristic feature of this bad constitution, the element in it which Mr. Calhoun most admires, and which he directly commends for our imitation, the famous *liberum veto*, or absolute negative which every member of the diet could put upon the whole proceedings of the session, his Lordship further remarks, — "Surely no human contrivance was ever devised so effectual to tie up the will and paralyze the judgment of any deliberative assembly." True, Poland obtained great prosperity and renown, and held them for two centuries, under the Jagellons, whose energetic sway kept the ill-omened constitution in abeyance, and the nominally elective crown was transmitted from father to son, or to the nearest male heir, with as much regularity as in any hereditary kingdom in Europe. It was not till the splendid Jagellon dynasty became extinct, upon the death of Sigismond Augustus, in 1572, that the elective system, and the other peculiarities of the Polish constitution, the source of all the evils which subsequently befell the country, were completely established in substance as well as in name.

The purpose, for which these instances are adduced in Mr. Calhoun's Discourse is sufficiently obvious. He has found the *liberum veto* where no one formerly suspected its existence, — in the Constitution of the United States. He maintains that the framers of that instrument knowingly placed it there, and that it is the distinctive feature and crowning merit of the system, which, without it, would place all the power in the hands of an absolute and tyrannical majority, that would trample on the rights of the less numerous party, and finally compel the country to seek refuge from the evils of its sway in a military despotism. Give to each State that which the Constitution grants it, an absolute negative on the proceedings of all the other States, and a power of nullifying any law which is distasteful to it, or which it deems unconstitutional, and the proceedings of Congress will necessarily become harmonious. No law can then be passed except by the unanimous consent of the States. Parties will cease to rage; faction and discord will give way to harmony and peace; and the government, instead of falling into weakness and decrepitude, will be one of unequalled firmness and strength. "It is this negative power, — the power of preventing or arresting the action of the government, — be it called by what term it may — veto, interposition, nullification, check, or balance of power — which, in fact, forms the Constitution. They are all but different names for the negative power. Without this, there can be no systematic, peaceful, or effective resistance to the natural tendency of each to come into conflict with the others; and without this, there can be no Constitution."

Said we not well that Mr. Calhoun is an intrepid reasoner, and that he shrinks from no conclusion that can be legitimately deduced from his premises? If he were a statesman of inferior rank or less experience, and if his doctrines were not defended with peculiar ingenuity and force, in an argument almost unrivalled for compactness, method, and severity of logic, we might leave this naked statement of his theory to be rejected, as it surely would be, by every reader with a sound and unprejudiced understanding. But the author of these Discourses is too formidable a dialectician to be treated so



cavalierly. His general reasoning upon the science of government is both plausible and profound. He is an acute commentator upon the Constitution, and many of his incidental remarks upon the past and present state of parties in this country, upon the tendency of our institutions, and upon some evils which are apparent in our habits of political thought and action, are eminently just and forcible. The book is written with more freedom and boldness, more independence and originality of thought, than we are wont to find in the political speculations of our countrymen. Mr. Calhoun seems determined to say, not only what he believes, but *all* that he believes, without that gingerly reference to the demands of party or to the general course of public opinion, and that dread of giving offence, which cause most publications of this sort to appear timid, feeble, and meagre. We are equally pleased with the novelty of his thoughts and the frankness of his expressions; and we shall therefore dwell at some length upon the contents of this volume.

The Disquisition on Government, and the Discourse on the Constitution and Government of the United States, are parts of one whole, the former part being intended to prove that every form of polity tends to absolutism or abuse, which is not so organized that one or more members of it can check the proceedings of all the others by an absolute negative; and the latter proceeding to demonstrate that the government of the United States is, or ought to be, so organized, under the Constitution, and that all the evils which have resulted, or are in prospect, from the actual operation of the system, have arisen from this essential feature of it being overlooked or suppressed. The argument in the former part, therefore, is general, being designed to establish a fundamental principle in the theory or science of government; in the latter part, it is particular, the object being to show that this principle is embodied in the Constitution of the United States, and was designedly placed there by its framers as the main pillar of the edifice which it is admirably adapted to support. The reasoning in the first Discourse appears to us more satisfactory than in the second. Mr. Calhoun's mind turned more naturally to generalities and abstract speculations, than to details

and the interpretation of a particular instrument. Yet, even here, we must complain of a lack of precision and definiteness in his statement of the point to be established. If he means only that the supreme power, wherever lodged, must be checked or balanced by some independent member of the state, his doctrine is a mere truism. Without such a check, the government becomes a pure despotism ; and the despotism of a democracy is just as formidable as that of a monarchy, — perhaps more so. If he means farther, that this limitation of the supreme power, to be effectual, must not merely be expressed in a written Constitution or form of law, but must be lodged in hands powerful and independent enough to preserve and enforce it, still the theory lacks novelty. Absolute governments are not easily found nowadays, among civilized nations ; even those of Russia and Turkey have been wittily defined to be “despotisms tempered by assassination.” The most effective check on any government is the limit of what its subjects will bear. The most powerful and despotic prince in Europe, on some points, stands in awe of his people. In what manner a check can be devised which shall obviate every possible abuse, and which shall be constant, gentle, and efficient in its operation, is a problem which has exercised the wits of political reformers for centuries. Mr. Calhoun hardly takes a step towards its solution, but only attempts to prove, what no one denies, that such a check is necessary. Surely, it is but a rude and coarse expedient to require that the supreme legislative power in the state shall be so limited that no law can be passed except by the unanimous consent of a large assembly. Such a scheme might be consistently maintained by one who believed all legislation to be an evil, or that it constantly tends to excess. But we do not understand that our author favors so sweeping a doctrine.

Let us try to ascertain what Mr. Calhoun's views are by following his argument somewhat in detail. Beginning with a theory somewhat like that of Hobbes, he shows that men cannot exist except in a social state, and that society cannot exist without a government. The necessity of government arises from the simple fact, that every man naturally prefers his own interest or well-being to that of his fellows ;

and from this preference—which ought not to be denominated *selfishness*, as that term implies reproach, or that the feeling exists in excess—endless disputes and conflicts would arise between individuals, if not prevented or controlled by some authority or governing power in the state. Government exists, therefore, for the purpose of restraining its subjects; but as its authority must be lodged in the hands of individuals, who are equally prone to prefer their own interests to those of other people, the question next arises, What shall restrain the government? Whatever exercises this office, whatever keeps the government in check, is properly called a *Constitution*, whether it be a written form or code of law, or a body of immemorial usages, or merely the disposition and ability of the people to bear and to resist.

“Having its origin in the same principle of our nature, *constitution* stands to *government*, as *government* stands to *society*; and, as the end for which society is ordained would be defeated without government, so that for which government is ordained would, in a great measure, be defeated without constitution. But they differ in this striking particular. There is no difficulty in forming government. It is not even a matter of choice, whether there shall be one or not. Like breathing, it is not permitted to depend on our volition. Necessity will force it on all communities in some one form or another. Very different is the case as to constitution. Instead of a matter of necessity, it is one of the most difficult tasks imposed on man to form a constitution worthy of the name; while to form a perfect one,—one that would completely counteract the tendency of government to oppression and abuse, and hold it strictly to the great ends for which it is ordained,—has thus far exceeded human wisdom, and possibly ever will. From this, another striking difference results. Constitution is the contrivance of man, while government is of Divine ordination. Man is left to perfect what the wisdom of the Infinite ordained, as necessary to preserve the race.” pp. 7, 8.

The difficulty of forming a Constitution which shall effectually restrain the tendency of the government to abuse and excess is strongly stated. Mr. Calhoun exaggerates the evil, because he wishes to apply a violent remedy. He makes no allowance for the many minor circumstances that concur to mitigate the disease,—for the attachment which may spring

up between the governors and the governed ; for the unity of interest which, on many points, binds them together ; for the force of association and habit, which tends to limit their wandering ; for natural deference to justice and established law ; for the fact, attested by almost every page of history, that a good government may exist under a bad or imperfect Constitution. It does not suit the purposes of his argument to admit any other truth than this,—that man is prone to evil as the sparks fly upwards. Reasoning under the bias of a preconceived theory, following a narrow line of argument, he rigidly presses every conclusion that follows from his single premise, and rejects every fact or consideration which lies outside of his wilfully circumscribed path. Because every man prefers his own interest to that of his fellows, those who hold authority will seek to aggrandize themselves, instead of endeavoring to protect society. In vain are persons set to watch them, for the guardians of the Constitution will be equally tempted, and by the same cause, to be unfaithful to their trust. Universal suffrage will afford no protection, for the government will then become the mere agent of the majority, and the greater number, from the ineradicable infirmity of human nature already mentioned, will be constantly tempted to oppress the less. “The dominant majority for the time would have the same tendency to oppression and abuse of power, which, without the right of suffrage, irresponsible rulers would have.” A written Constitution will not protect us, for the party in power will, “from the same constitution of man which makes government necessary to protect society,” be prone to enlarge the powers granted by the Constitution, and to limit its restrictions, and will finally come “to regard these restrictions as unnecessary and improper restraints,” which ought to be evaded or done away. A free press affords no safeguard, because, first, “it cannot change that principle of human nature” which makes governments necessary, and constitutions necessary ; and because, secondly, it always throws its weight into the heaviest scale, or expresses most strongly “the opinion or voice of the strongest interest or combination of interests.” It thus tends rather to exasperate the evil, than to palliate or subdue it.

We need not pause to expose the fallacy of this narrow species of reasoning, however severe and logical it may seem. Starting with the assumption of an original, all-pervading, and ineradicable sin in human nature, it is perfectly easy to show, that all human contrivances to prevent the manifestation of its appropriate effects must be vain. Every political device must be executed by men, — by the very beings whose evil passions or evil tendencies we seek to restrain; and when we have nothing but evil to work with, nothing but evil can result. Accordingly, we shall show the vice of Mr. Calhoun's reasoning, merely by proving that his own panacea, his own grand expedient for keeping the evils of government in check, is just as powerless as any of the methods whose inefficiency he has exposed, — that it either does away with government altogether, or leaves a miserable fraction of it with just as strong a tendency to oppression and injustice as that which operated upon it in its perfect state. He would divide the government and the nation into a number of independent parts, and require the consent of each one of them, taken separately, for the enactment of any law. Obviously, then, very few laws would be passed, as the opinions of men are even more various than their interests. The sphere of governmental action would thus be diminished, and its functions would be imperfectly discharged. The conflicting passions and interests of men, therefore, which government was originally instituted to regulate and control, would have a looser rein and a free development, just in proportion, according to Mr. Calhoun's theory, as the Constitution was perfected. Carry out the system boldly, make the number of parts very great, and the government will be virtually dissolved. Then, indeed, there will be no danger of oppression, but society will fall a prey to anarchy and ruin. If, to avoid this risk, the government is not broken up into small fractions, but only distributed into three or four large Estates, as it is in England, where King, Lords, and Commons have concurrent power, and offset or check each other, an encroaching and tyrannical majority in one of them — the House of Commons, for instance — can still inflict upon the minority the very evils of which Mr. Calhoun complains. So it would be in this

country ; the government of the Union may be held in check by allowing a negative to each one of the States. But Mr. Calhoun seems to forget, that his theory, being one of unlimited application, ought to be carried out in reference to each State, as well as to the national government. New York alone now contains nearly as large a population as there was in the whole Union when the Constitution was first adopted. Even our intrepid theorist does not propose that each State should be resolved into a confederation of counties, each county into a confederation of towns, and each town into a confederation of its inhabitants, — every one of the confederates, in each case, being allowed a negative upon the proceedings of all the others. Such an extension of the scheme would nullify all government with a witness. Yet our author is bound to accept and defend it, if he would be consistent. Mr. Calhoun argues that a jury of twelve men are required to be unanimous, and yet that they seldom fail to find a verdict; whence he infers, that it should not be deemed impracticable for the various conflicting interests of a community to adopt any one line of policy without a dissenting voice. They will come to a conclusion, that is, to a compromise, he says, under the pressure of necessity ; and the conclusion, because it is a compromise, will be generally acceptable to the community. He forgets that a jury have to pronounce, generally, on but one question, and that one which can usually be answered by yea or nay. Is the defendant guilty or not guilty ? Is Charles or William the aggrieved party ? If a jury were required to settle all the complicated affairs of state, to adjust both its external and internal policy, it may well be doubted whether they would so often be unanimous in their opinion. Besides, they are always selected with special reference to the fact, that no one of them has any personal interest in the case presented to them for trial. If they were as deeply interested in the issue, as the members of a Congress or other legislative body are in almost every law which they pass, who would expect them to agree on a verdict ? It may well be doubted, also, whether a forced verdict, though it be a compromise, is likely to be a just one, or satisfactory to the public. When the decision arises from the

necessity of doing something, and from the fact that entire unanimity is required, the sorrowing and judicious many are more frequently compelled to yield to the factious and obstinate few. The conflict will be no longer one of reason and argument, but of blind strength of will, and a reckless disregard of consequences. It was so in the Polish Diet, the only perfect exemplification of Mr. Calhoun's theory that is recorded in history. A fool can interpose a sullen and unbending negative; a wise man will make concessions, and strive to save a part when he cannot command the whole.

As a general theory of government, then, we must regard Mr. Calhoun's system as impracticable and unsound. In the only case in which it has been fully carried out, it produced a long train of frightful disasters, and ended by destroying the nationality and dividing the inheritance of a most chivalrous and gallant people. To many of his particular remarks and speculations, we not only take no exception, but find them eminently ingenious, striking, and correct. But they are not arguments which tend to support his whole theory; they do not go far enough for that. They amount to nothing more than a justification of such portion of it as, by the confession of all, is actually embodied in the Constitution of the United States. In his preference of the system which requires the assent of several "concurrent majorities," as he calls them, for the passage of a law, over that which trusts the decision in every case to a mere "numerical majority" of the whole people, we heartily agree with him. The former system is exemplified, to a greater or less extent, in every mixed or constitutional government. It is the characteristic feature of the English Constitution, which Mr. Calhoun greatly admires, because every important act of the government "may be fairly considered as the result of the concurrent and joint action of the three estates of the realm." But why does he impliedly give the preference to it, in this respect, over the American Constitution, even as this Constitution is understood and administered at the present day, by the party who are most desirous of enlarging the powers of the general government? Why is it the burden of complaint, throughout his book, that here in the United States, we have departed from the system of "the concurrent majorities," and have perverted

the true meaning and intent of the Constitution, by throwing so much power into the hands of a "numerical majority" of the whole people? Our system, at the worst, is still preferable to that of England, which he praises, — preferable to it in the very point on which he lays so much stress.

According to the American Constitution, at least four concurrent majorities are required for the passage of any law; and the bodies in which these several votes are taken are so artfully composed and set off against each other, — they represent so many distinct interests and exist under such dissimilar circumstances, — that any undue or corrupt influence which may come to sway the deliberations of one of them has little chance of affecting the decision in others. A bill must first be approved by a majority in the lower House of Congress, which, though the most popular branch of the government, still does not represent the opinion of a numerical majority of the whole people, but is an aggregate of 233 separate voices, coming from as many distinct constituencies, the population of which (discarding the slaves, who are represented by their masters,) varies from about 50,000 to more than 100,000 souls. This House is so constituted, that a principle *may* fail to obtain its consent, though it be approved by three fourths of the population of the United States. The bill must next be passed by a majority of the Senate, in which the States are separately and equally represented, *as such*, — in which, Delaware, with a white population of less than 72,000, has a voice as potential as that of New York, with its three millions of inhabitants, — in which, to adopt Mr. Calhoun's own calculation,\* "sixteen of the smallest States, — embracing Maryland as the largest, — with a federal population of 3,411,672, have the power of legislating for the other fourteen, with a population of 12,775,932."

The law is now sanctioned by Congress, but it has not yet passed through all its difficulties. It is still subject to the approval or disapproval of the President; and if he vetoes it, it can become a law only if approved by two thirds of the members of both Houses. The vote of eleven States in the

\* This calculation is founded on the census of 1840; but the proportions would not be materially changed by the enumeration made in 1850.



Senate may convert the President's refusal of his signature into an absolute negative of the law. The eleven smallest States in the Union contain an aggregate white population of less than 2,200,000 ; and, practically, the Senators of these States may be chosen by less than a majority of this number. The President, therefore, with the aid of about one twentieth part of the whole people, can defeat any law. There is so little approach to unanimity in the decisions of Congress upon any important measure, that it may be safely said, upon all occasions of any moment, that the President's disapproval will be fatal to the passage of the bill. And if he sanctions it, the law may still be pronounced unconstitutional by a majority of the nine judges of the Supreme Court, who hold their offices for life, and, in every important respect, are alike independent of the government and the people. The decision of this Court, as is well observed by Mr. Calhoun, "operates as an absolute veto, which can only be overruled by an amendment of the Constitution."

Here are fences enough, one would think, against rash or unjust legislation, and against the overwhelming and tyrannical dominion of the mere numerical majority, which Mr. Calhoun so much dreads. And they are so wisely framed, that, while they are almost insuperable obstacles to wrong-doing by the dominant party, they do not put means of aggression or offence into the hands of the smaller number. They are strictly defensive weapons. The President's veto, for instance, is a shield against injurious legislation ; but it is not a sword with which he can force Congress to do his bidding, or to pass such laws as he may require. It is mighty to prevent, but it is powerless to compel.

But all these checks are as nothing, or worse than nothing, in Mr. Calhoun's eyes, because his favorite device — the separate and absolute negative of any State upon the passage of a bill — is not reckoned among them. Failing to show the necessity of so extreme a precaution in any other way, he is reduced to the necessity of pointing out the indirect means and practices, which have grown up, so to speak, outside of the Constitution, — not in direct opposition to it, and yet not recognized by it, — through which the encroaching and domineer-

ing influence of the mere numerical majority has made itself felt. But his whole argument on this point is only an instructive commentary on the resistless development of the democratic principle, which is the great characteristic of the present age, though it is not more strongly marked here in America than in most of the monarchies of the Old World. Here, because it has reasonable sway within the limits of the Constitution, it expends little force against it;—there, it is altogether revolutionary and destructive. The theory of the English Constitution, certainly, has not been changed during the last thirty years; but the popular element in it, through the perfected machinery of popular agitation, through Irish Associations for Repeal and Anti-Corn Law Leagues, to say nothing of Parliamentary Reform, has made greater relative progress, than it has in the United States. Its greatest triumph is, that it has effectually cowed its opponents, the most conservative politicians now seeking only to evade its assaults, instead of meeting them with direct opposition. We may admire the boldness of so experienced a statesman as Mr. Calhoun in openly resisting its encroachments, without admitting that there is sufficient reason for the alarm with which he looks forward to its ultimate triumph. His opinions upon this subject are so inwoven with his doctrines respecting the true import of the Constitution, that it is difficult to present them separately. But the following extracts give a correct notion of the tendency of his argument.

“The first and leading error which naturally arises from overlooking the distinction referred to, [the distinction between the numerical or absolute majority, and the concurrent or constitutional majority,] is, to confound the numerical majority with the people; and this so completely as to regard them as identical. This is a consequence that necessarily results from considering the numerical as the only majority. All admit, that a popular government, or democracy, is the government of the people; for the terms imply this. A perfect government of the kind would be one which would embrace the consent of every citizen or member of the community; but as this is impracticable, in the opinion of those who regard the numerical as the only majority, and who can perceive no other way by which the sense of the people can be taken,—they are compelled to adopt this as the only true basis of popular government, in contradistinction

to governments of the aristocratical or monarchical form. Being thus constrained, they are, in the next place, forced to regard the numerical majority, as, in effect, the entire people; that is, the greater part as the whole; and the government of the greater part as the government of the whole. It is thus the two come to be confounded, and a part made identical with the whole. And it is thus, also, that all the rights, powers, and immunities of the whole people come to be attributed to the numerical majority; and, among others, the supreme, sovereign authority of establishing and abolishing governments at pleasure.

“This radical error, the consequence of confounding the two, and of regarding the numerical as the only majority, has contributed more than any other cause, to prevent the formation of popular constitutional governments,—and to destroy them even when they have been formed. It leads to the conclusion that, in their formation and establishment, nothing more is necessary than the right of suffrage,—and the allotment to each division of the community a representation in the government, in proportion to numbers. If the numerical majority were really the people; and if, to take its sense truly, were to take the sense of the people truly, a government so constituted would be a true and perfect model of a popular constitutional government; and every departure from it would detract from its excellence. But, as such is not the case,—as the numerical majority, instead of being the people, is only a portion of them,—such a government, instead of being a true and perfect model of the people’s government, that is, a people self-governed, is but the government of a part, over a part,—the major over the minor portion.

“But this misconception of the true elements of constitutional government does not stop here. It leads to others equally false and fatal, in reference to the best means of preserving and perpetuating them, when, from some fortunate combination of circumstances, they are correctly formed. For they who fall into these errors regard the restrictions which organism imposes on the will of the numerical majority as restrictions on the will of the people, and, therefore, as not only useless, but wrongful and mischievous. And hence they endeavor to destroy organism, under the delusive hope of making government more democratic.” pp. 29 – 31.

“It is, indeed, the single, or *one power*, which excludes the negative, and constitutes absolute government; and not the *number* in whom the power is vested. The numerical majority is as truly a *single power*, and excludes the negative as completely, as the absolute government of one, or of the few. The former is as much the absolute government

of the democratic, or popular form, as the latter, of the monarchical or aristocratical. It has, accordingly, in common with them, the same tendency to oppression and abuse of power.

“Constitutional governments, of whatever form, are, indeed, much more similar to each other, in their structure and character, than they are, respectively, to the absolute governments, even of their own class. All constitutional governments, of whatever class they may be, take the sense of the community by its parts, — each through its appropriate organ; and regard the sense of all its parts, as the sense of the whole. They all rest on the right of suffrage, and the responsibility of rulers, directly or indirectly. On the contrary, all absolute governments, of whatever form, concentrate power in one uncontrolled and irresponsible individual or body, whose will is regarded as the sense of the community. And, hence, the great and broad distinction between governments is, — not that of the one, the few, or the many, — but of the constitutional and the absolute.” pp. 36 – 37.

So far as the theory of the government is concerned, the facts and calculations already cited seem to prove that the Constitution has sufficiently limited the power of the numerical majority. No one complains of these limitations; no attempt is made to shake the basis of representation in the Senate, on the ground that it is not sufficiently democratic. It cannot be denied, however, that the practice under the Constitution, and the usage of parties, have done much to neutralize the effect of these salutary provisions, and to give to the majority of the whole people power far more extensive and immediate than the framers of that instrument ever dreamed of. The war of parties now relates almost exclusively to the quadrennial election of a President. The immense patronage which is concentrated in the hands of this officer, and the manner in which it is dispensed, have given to this occasion a factitious interest and importance. All other political contests are waged with reference to it; parties are organized with a single view to the effect which they may produce at this crisis. An important provision of the Constitution — the establishment of an electoral college — has been practically set aside, for the purpose of throwing the decision directly into the hands of the people. The *form* is preserved, of voting immediately for the electors; but every one knows that this is a mere farce. Every elector is pledged

irretrievably to vote for one out of the two candidates who alone are permitted to appear in the field. If a third candidate is sometimes nominally presented, it is from no expectation that he may possibly be chosen, or even that he may so divide the vote as to throw the decision into the hands of the Representatives in Congress ; but from a vague hope, that the party which supports him may thus acquire a prominence and consistency, which shall enable it to select one of the two leading candidates at the next trial. The election being completed, all the efforts of the newly constituted government are immediately turned to the contest which is to recur after four years' interval. The Senate fails to be an efficient check upon the House, and the President is no longer the efficient guardian of the Constitution against both, because every other object is made secondary to the chances of success when this great contest shall recur.

All this, it seems to us, however much it may be deplored, is not an infringement of the Constitution, and cannot be remedied by amending that instrument, or in any other way than by increasing the watchfulness and intelligence of the people. It is a result of the strife of parties ; it is caused by political management and intrigue. Demagogues, wire-pullers, and office-seekers have been permitted to usurp the control of the elections, — to devise machinery, and keep it in action, through which, aided by the supineness and neglect of the major and better portion of the community, they have taken the work out of the hands of the population at large, and have performed it in their own way and for their own benefit. The evil is rather a moral one, than an indication of defect in the political fabric. Universal suffrage, it must be admitted, is attended with this inconvenience, that most persons set little store by a privilege which is common to all, and which, after all, is but seldom exercised. Voting day comes round, usually, but once or twice a year ; we vote for a President only once in four years. Those who have no personal interest at stake — that is, who are not seekers after office — come to regard the affair with great indifference, and often do not vote at all. As for making preparations beforehand, and selecting the proper persons to be candidates for office, they give them-

selves no trouble whatever; all this is managed by a few busybodies and a few political aspirants, whose previous action is really decisive of the issue. Casting the actual ballots is a mere form; the choice was really made in the preliminary meetings,—in the previous designation of the candidates. Hardly any one, nowadays, votes for the man of his own choice; he votes for one already chosen by other persons, and often by persons to whose judgment, in any matter which really affected his interest and his feelings, he would disdain to submit. As the system is now arranged, the only freedom of choice which is left to the individual voter, is, to select that one out of two or three persons previously designated, whose elevation to the Presidency he would consider to be least injurious to the country.

Mr. Calhoun saw this evil clearly, and paints it in the darkest colors; but he characteristically attributes it to that amendment of the Constitution which was adopted after the contest between Jefferson and Burr in 1801.

“The first step was, to diminish the number of candidates, from which the selection should be made, from the five, to the three, highest on the list; and,—in order to lessen the chances of a failure to choose by the electoral college,—to provide that the electors, instead of voting for two, without discriminating the offices, should designate which was for the President, and which for the Vice-President. This was effected in the regular way, by an amendment of the constitution. Since then, the constitution, as amended, has been in practice superseded by what is called *the usage of parties*; that is, by each selecting, informally, persons to meet at some central point, to nominate candidates for the Presidency and Vice-Presidency,—with the avowed object of preventing the election from going into the House of Representatives; and, of course, by superseding the eventual choice on the part of this body, to abolish, in effect, one of the two elements of which the government is constituted, so far, at least, as the executive department is concerned. As it now stands, the complex and refined machinery provided by the constitution for the election of the President and Vice-President is virtually superseded. The nomination of the successful party, by irresponsible individuals, makes, in reality, the choice.” p. 224.

It is true that the Constitution, as amended, has been practically superseded by the usage of parties; but the same cause would equally have superseded it, if it had remained in its

original state. The usage of designating the candidates in party conventions has sprung up to avoid the inconvenience of a scattered vote and a frequent failure to elect, so that the House of Representatives would generally be required to choose the President. This result has been almost universally deprecated, though it meets with so much favor in the eyes of Mr. Calhoun. As that body is now constituted, it is certainly unfit to exercise this high function. Intrigues and cabals would be rife among the members, and all confidence in the purity of the election would be lost. No judicious friend of his country would wish for a repetition of the scene that was enacted when Mr. Jefferson was chosen.

The decision made in 1789, and which was carried in the Senate only by the casting vote of the Vice-President, that the heads of departments and all inferior officers are removable from office at the mere will of the President, though most of them cannot be appointed by him without the advice and consent of the Senate, was certainly an unfortunate one, and has been followed by a long train of evils. Mr. Madison rightly observed at the time, that the decision "would become the permanent exposition of the Constitution, and on that permanent exposition would depend the genius and character of the whole government." We have the high authority of Mr. Webster, to which is added that of Mr. Calhoun, for saying that, on Constitutional grounds, the decision is indefensible. Its evil consequences were not fully developed till about 1830, when the system of wholesale removal from office, for the purpose of rewarding unscrupulous political partisans with "the spoils," commenced. The following is not too strong a picture of the disastrous result.

"Its effect has been to engender the most corrupting, loathsome, and dangerous disease, that can infect a popular government; — I mean that known by the name of "*the Spoils*." It is a disease easily contracted under all forms of government; — hard to prevent, and most difficult to cure, when contracted; but of all the forms of government, it is, by far, the most fatal in those of a popular character. The decision, which left the President free to exercise this mighty power, according to his will and pleasure, — uncontrolled and unregulated by Congress, scattered broadcast the seeds of this dangerous disease, throughout the whole system. It might be long before they would germinate; — but that they

would spring up in time ; and, if not eradicated, that they would spread over the whole body politic a corrupting and loathsome distemper, was just as certain as any thing in the future. To expect, with its growing influence and patronage, that the honors and emoluments of the government, if left to the free and unchecked will of the Executive, would not be brought, in time, to bear on the presidential election, implies profound ignorance of that constitution of our nature which renders governments necessary to preserve society, and constitutions to prevent the abuses of governments." pp. 347 - 348.

Yet it may be doubted if a different exposition of the Constitution would have removed all the evils which Mr. Calhoun now complains of ; and we are quite sure that his great panacea, of allowing each State an absolute negative upon any decision of Congress, would have been wholly inoperative to this end. The power to remove dishonest or incompetent persons from office must be lodged somewhere ; the incumbents could not safely be permitted to hold their posts on the same independent tenure as the members of the judiciary. The natural check would be, what was proposed, to make removal from office, as well as appointment to it, dependent upon the advice and consent of the Senate. Yet this check would be insufficient, as can be easily shown. Even now, the removal of the old incumbent takes place only as a consequence of the appointment of a new one ; and as the Senate must approve or reject the latter proceeding, it has an opportunity, if it would only exert it, of intimating very significantly its opinion of the former one. It does not use this opportunity, and is consequently participant in the guilt or shame of the whole system. In truth, the source of the evil lies farther back ; it consists in the strength of the party ties which bind together so firmly the President and his political supporters both in Congress and out of it. We need not make the offensive supposition that the Senators themselves are influenced by the expectation of office, to be received from the President, as a reward for their confirmation of his other appointments. The position which they already hold is so elevated, that hardly any office in the executive department can appear desirable to them ; and many of them are so situated that they could not, or would not, accept such office. It



is not as a matter of personal interest, then, but as one of party interest, as a means of strengthening the political combination to which they belong, that they do not exercise the power which they possess, to overturn the whole shameless system of purchasing and rewarding unscrupulous services, chicanery, and intrigue, by "the spoils." And the measure of blame which is due even to this motive ought to be divided between them and their constituents. By such conduct, they only fulfil the expectations, and even the wishes, of those who gave them their places in the Senate.

The public interest suffers in many ways by this system, apart from the loss of national reputation and dignity by the shameless procedure. Frequent change of the incumbents of office is a wilful sacrifice of all the tact, skill, and knowledge which may be gained from experience. In the management of foreign affairs, for instance, how much injury is likely to result from the removal of every agent as soon as he has had time to qualify himself for the thorough discharge of the duties of his post! This country alone is generally represented at the principal capitals of Europe by persons who speak no other language than their own, who have had no diplomatic training, and who were not selected for the office on account of any peculiar fitness for it which might be supposed to result from character or education, but solely because they had rendered important political services at home, in a very different sphere of action. It is idle to say, that the peculiar principles of our government require this sacrifice of the national interest, or that frequent rotation in office is consonant with the genius of democratic institutions. It is not so; true democracy regards the public officer as a public servant, as appointed not because he has any personal claim to the office, not because the appointment itself is a reward, but because it is for the public interest that he should sustain the burden of the station. The contrary supposition would imply, that the interest of the public must be made subservient to the interest of the individual, or that the individual is entitled to claim a reward for simply doing his duty to the country. At any rate, if such a reward is due, let it be paid by a public pension, by a laurel wreath or an olive crown, and not by

placing the person to be benefited in a situation where he will only cancel the memory of his former services, and injure or disgrace the nation, by his incompetency and his blunders.

It is hardly necessary to say, that these remarks are not designed to censure the conduct of one party more than another. We suppose it is now frankly admitted on all hands, that the practice here complained of has become the established usage of all parties; and we do not care even to inquire with which of them it originated. What is done by the Democrats to-day, was done by the Whigs yesterday, and would be done by any other party that might acquire the ascendancy tomorrow. It has become the common law of our political contests. But this fact does not render the usage defensible, — does not even afford a presumption in its favor. At best, the system is one of recent introduction; it did not exist, as a system, under the first five or six presidential terms. But it has been a fungus of rapid growth, and its poisonous exhalations have already infected the whole political atmosphere.

If a remedy is possible, it must be sought for, not in an amendment of the Constitution, but in some modification of the present state of parties. The object would be to inspire the body of the people with more interest in the elections, and thereby to take the exclusive management of them out of the hands of political intriguers and office-seekers. We are not utopian enough to imagine that party spirit in the republic can be done away with, and that all good men can be united in the pursuit of a common spirit. Parties must exist; they would grow out of the diversities of men's characters, if they did not spring from the opposition of their interests. But great benefits may result from breaking up the old organization of them, and allowing new ones to be formed under fresh impulses, and with different ends in view, — accommodated to the altered circumstances of the times. We have gone through such a process once or twice already, since the formation of the Constitution. The old Federal party has long been extinct, though Mr. Calhoun bitterly complains that its principles and policy were never more fully developed, or more completely reduced to practice, than under the administration of General Jackson, whose indomitable will, aided by the

splendid powers of Mr. Webster, effectually crushed the Nullification heresy. At the end of Mr. Monroe's administration, — "the last of the line of Virginia Presidents, — the old State Rights' party [also] ceased to exist as a party, after having held power for twenty-four years." Monroe's administration, indeed, was generally distinguished as "the era of good feelings," on account of the extinction of the old party animosities; he was elected to office for his second term without opposition, receiving every vote but one in the electoral college. The old republican party, which had risen to power under the able guidance of Mr. Jefferson, now changed its name; "it took the title," says Mr. Calhoun, "of the Democratic party, or, more emphatically, the Democracy. The change of name was ominous of a change of policy. It showed much less devotion than before to "the reserved powers" of the States, "and was much more inclined to regard mere numbers as the sole political element, and the numerical majority as entitled to the absolute right to govern. It was, also, much more inclined to adopt the national than the republican creed, as far as the money power was concerned; and, to this extent, much more disposed to act with the advocates of the former than the latter."

What has happened once may happen again. It is time for the old appellations, and the old parties themselves, to die out, when the contest between them, in respect to principles and measures, has virtually ceased, and the opposition is only kept alive as a means of political intrigue, and an avenue for the attainment of office. It is a little remarkable, that the old party lines are beginning to fade out at the same time both in England and this country; and great inconveniences are experienced in both, from the attempt to continue the vitality of the old organisms after their natural life has departed. The Whig and Tory parties in England exist no longer; after the principle of Protection was finally abandoned, the ministry of Earl Derby and Mr. D'Israeli differed from "Her Majesty's opposition" in no other manner whatever, than as those contented politicians who are *in* office, must always differ from the aspiring politicians who are *out* of it. This state of things may be very well in any country where there are statesmen to

spare ; but even the nominal difference becomes somewhat inconvenient, when "all the talents" combined, of all the parties, are hardly enough to furnish forth one able administration. Accordingly, the Earl of Aberdeen and Lord John Russell, when both were out of office, found it a very easy matter to form a union, for the purpose of getting in again ; and the present patchwork ministry is the result. It is, indeed, "an administration checkered and speckled," — "a cabinet variously inlaid," — "a tessellated pavement," — "patriots and courtiers, king's friends and republicans, Whigs and Tories." But though coalitions are generally, and with good reason, unpopular in England, the present ministry appears to be a strong one, and to stand high in public opinion. The individual members of it had been acting in opposite camps ; but they found, to their surprise, that there was no obstacle to their acting in concert, that the grounds of former quarrel had ceased to exist, and that there was no principle to be sacrificed by either party, and no "open questions" to be left, in order to enable them to act together with perfect harmony.

In this country, also, it would be difficult to point out any cause of dissension between the Whigs and Democrats, except that one party has now got all the offices, and the other has recently forfeited them ; and this cause, the body of the people, who neither hold office nor wish for it, may be supposed to regard with profound indifference. There are, indeed, questions enough which are fiercely debated in Congress and the newspapers ; but they are not questions in respect to which Whigs are separated from Democrats. In relation to a protective tariff, a national bank, the management of the public lands, the improvement of rivers and harbors, State rights, slavery, and all other notorious topics of agitation and dispute, politicians array themselves on opposite sides without the slightest reference to their connection with one or the other of the two great parties, which, for the last twenty years, have contended with each other for the possession of the Presidency, and all the other offices under the national government. Though these two parties had other objects in view when they were first instituted, they have long since lost sight of them, and now continue to exist apparently for

the sole purpose of obtaining a monopoly of the government patronage. We do not mean that they are conscious of this alteration of purpose. Most of those who quietly allow themselves to be counted as Whigs and Democrats, though they never do duty in that capacity except on voting day, and not always then, have a vague apprehension, founded on the recollection of old contests, when principles and measures were really at stake, that the government would be more safely placed in the hands of their own party than in those of their opponents. Perhaps this confidence has been a little shaken by the course of events during the last two or three political campaigns. A good deal of discontent has existed among "the rank and file," as to the conduct and management of their self-appointed commanders, the office-seekers. Those who have nothing to do but to vote, have begun to be worried by the incessant solicitations of their leaders not to omit the performance of this very patriotic duty, in which about as much liberty of choice is left to them, as is given to the convict, who is permitted to say whether he will be shot or hanged. In spite of all this solicitation and drumming, in spite of repeated assurances that "to throw away one's vote," by casting it for the man whom one really prefers, is a crime little short of treason, it frequently happens that nearly half of the population do not vote at all, and many of the others are tempted to exclaim, with honest Mercutio, "A plague on both the houses!"

The present moment seems a favorable one, therefore, for calling attention to the fact, that these party names of Whig and Democrat now mean nothing and point to nothing—that they are only the memorials of a past conflict—that the antagonism which they indicate is with difficulty maintained by the strenuous efforts of a few, who alone have any interest in keeping it alive—and that this factitious hostility, this seeming warfare, is injurious to the best interests, and prejudicial to the good name, of the republic. It is not at all to the purpose to say, that if these two parties are allowed to die out, others will soon arise to take their places. Parties cannot be formed anew, unless some great principle or measure is at stake; men will not rally around a new standard, if

it be not erected for a more creditable motive than a division of the spoils, though their attachment to it may continue long after the motto which it bears has become a meaningless phrase. If but one Presidential election could pass without a contest, as in 1821, this indecent scramble for office could not be renewed for a period of eight years, and might not be repeated for a much longer time. He who was elected with the concurrence of the whole people would have no partisans to reward, and no opponents to punish. He would be relieved from the humiliation of having most of his appointments to office dictated by party considerations, — by the necessity of serving the interests of a faction, instead of consulting the welfare of the state. Legislators would no longer be forced, by the imperative behests of their party leaders, to vote for measures which at heart they condemn. The people might have the satisfaction of selecting, once in a while, their own candidates for office, and thus, perchance, of electing those who had deserved well of the republic, instead of being compelled to “choose” those only who are pointed out to them as the most *available* candidates for party purposes.

Two antagonistic parties mutually exasperate and endanger each other, and thus each becomes an indirect cause of the injudicious and blameworthy measures which it censures in its opponent. Pressed by numerous and watchful adversaries, each is obliged to follow expediency instead of right, to enforce strict discipline in its own ranks, to oblige its adherents to sacrifice, not only their preferences, but their consciences, and to clutch at every measure which may give them a slight accession of strength in a single closely contested district, though the great majority of their own forces come to support it with heartfelt reluctance. True patriotism and elevated statesmanship become impracticable conceptions in this state of things. A generous neophyte in politics, who seeks to keep such lofty ends in view, is told by his more experienced associates, that he is sacrificing a general and immediate good, the continuance of their own party in office, for a remote and doubtful advantage; every minor consideration must be given up in the struggle to keep wicked men and dangerous principles out of power. The welfare of party

is thus established as the sole rule of conduct, and high-minded men become disgusted, and refuse even to enter the arena where so miserable a conflict is waged. Politics have already become a dishonored profession in our land, and the most intelligent and virtuous citizens refuse to expose themselves to its contaminations. The most eminent and deserving find that the vigor of their characters and the splendor of their abilities are the only insuperable obstacles to their success in the general scramble for power. They must be passed over, because their merits have been great and their lives conspicuous, in order that some candidate may be found whose career has been so obscure that nothing can be said against him. We do not fear that this language will seem too strong. There is hardly a citizen of the republic who does not now sincerely grieve, that the three great statesmen whom the country has recently lost were not rewarded, in turn, with the highest honor in her gift. The loss was not theirs, but ours. Widely as they differed from each other in their political views and tendencies, all parties will now admit, not merely that each one of them had fairly earned the Presidency, but that the administration of one or all of them would have been an honor to the country, and would have cast new lustre upon our republican institutions. All will admit, also, that the present organization of parties in the Union was the only insuperable obstacle to their rise to power.

Two of these great men have sanctioned, by their arguments and their names, the views which we have here endeavored to present respecting the consequences of party divisions in the United States; and we gladly borrow their clear and forcible statements, which now come to us with the authority of voices from the tomb. The following is an extract from a speech made by Mr. Webster in Faneuil Hall, April 3d, 1825, at a meeting called for the express purpose of approving a dissolution of the old party ties, and ratifying the nominations that had been made without reference to party.

“He hardly conceived how well disposed and intelligent minds could differ as to the question, whether party contest and party strife, organized, systematic, and continued, were of themselves desirable ingredi-

ents in the composition of society. Difference of opinion on political subjects, honorable competition, and emulous rivalry, may indeed be useful. But these are very different things from organized and systematic party combinations. He admitted, it was true, that party associations were sometimes unavoidable, and perhaps necessary to the accomplishment of other ends and purposes. But this did not prove that, of themselves, they were good; or that they should be continued and preserved for their own sake, when there had ceased to be any object to be effected by them.

“But there were those who supposed, that, whether political party distinctions were or were not useful, it was impossible to abolish them. Now he thought, on the contrary, that, under present circumstances, it was quite impossible to continue them. New parties, indeed, might arise, growing out of new events or new questions; but as to those old parties which had sprung from controversies now no longer pending, or from feelings which time and other causes had now changed, or greatly allayed, he did not believe that they could long remain. Efforts, indeed, made to that end, with zeal and perseverance, might delay their extinction, but, he thought, could not prevent it. There was nothing to keep alive these distinctions in the interests and objects which now engaged society. New questions and new objects arise, having no connection with the subjects of past controversies, and present interest overcomes or absorbs the recollection of former controversies. Those who are united on these existing questions and present interests will not be disposed to weaken their efforts to promote them, by angry reflections on past differences. If there were nothing *in things* to divide about, he thought the people not likely to maintain systematic controversies about *men*. They have no interest in so doing. Associations formed to support *principles* may be called *parties*; but if they have no bond of union but adherence to particular *men*, they become *factions*.”

Surely, these words are as applicable at the present hour as when they were first uttered. The circumstances, indeed, are strikingly similar in the two cases. Then, as now, we had as President a New England man, recently elected, who had belonged for many years to that political party which was predominant in the whole Union, though it had been most frequently in the minority in Massachusetts. Opposition to the administration of Mr. Adams, on the old party grounds, was abandoned as meaningless and impolitic.

In the volume of Mr. Calhoun's writings that is now before



us, we find this brief and able exposure of one of the great evils resulting from a division of the whole people into two well organized and almost equally balanced parties. Alluding to the triumph, in 1833, of the Constitutional doctrine, that the national government has the right to judge, in the last resort, of the extent of its own powers, and to use the military and naval forces of the Union to carry its decisions into effect, he says,—

“By the great increase of power and patronage which it conferred on the government, it contributed vastly to increase the concentration and intensity of party struggles, and to make the election of President the all-absorbing question. The effect of this was, to induce both parties to seek the votes of every faction or combination by whose aid they might hope to succeed;—flattering them, in return, with the prospect of establishing the doctrines they professed, or of accomplishing the objects they desired. This state of things could not fail to give importance to any fanatical party, however small, which cared more for the object that united them, than for the success of either party; especially if it should be of a character to accord, in the abstract, with the feeling of that portion of the community generally. Each of the great parties, in order to secure their support, would, in turn, endeavor to conciliate them, by professing a great respect for them, and a disposition to aid in accomplishing the objects they wished to effect. This dangerous system of electioneering could not fail to increase the party, and to give it great additional strength; to be followed, of course, by an increased anxiety on the part of those who desired its aid, to conciliate its favor; thus keeping up the action and reaction of those fatal elements, from day to day,—the one, rising in importance, as its influence extended over the section—the other sinking in subserviency to its principles and purposes.” p. 374.

According to Mr. Calhoun's own showing here, it is not so much the Constitutional doctrine respecting the powers of the general government, as the sharp contest between two great parties which are almost equally balanced, that often induces one of them to take into favor opinions which it did not originally share, and which are still distasteful to the great body of its adherents, for the purpose of conciliating the good will and support of a small combination of men, whose weight is just sufficient to turn the political scale.

Hence arises what may be called the paradox of a popular government,—that the opinion or the policy of a feeble minority often comes to sway, with the greatest violence and arbitrariness, the determinations of the majority, and thus to rule in the councils of the nation. Whenever, on the eve of a Presidential election, a small number of persons are found to be banded together with great resoluteness in the pursuit of some one object, the ties which unite them to one or the other of the two great parties being held in comparatively light esteem, a doubt arises whether they do not hold the balance of power at the coming contest; and under the influence of this doubt, the most extravagant concessions are made to them by one or both of the contending parties. Their favorite object is suddenly exalted from its obscure position to a high place in national esteem; it becomes a mark and guide of all political effort. The country appears to be seized with a sudden frenzy; indifference upon this single point is stigmatized as a crime. This was the secret of the sudden but temporary success of the Anti-Masonic and the Native American excitement. Thrice, within the last twelve years, the same cause has brought the country to the brink of a war with England. It is a cheap method of obtaining a little additional popularity, or buying a few extra votes, to vapor about preserving the honor and the interests of the country in its foreign relations. As no one is supposed to be hostile to the successful prosecution even of a doubtful national claim, the good will which is thus conciliated is all clear gain. A bullying assertion of our country's rights, or what are called such, can offend no one, and may afford great delight to a few. Accordingly, the people usually seem to be seized with a war-frenzy just once in every four years. There appeared to be serious danger, at one time, that success in the last Presidential contest might seem to depend on the favor of the little faction which has twice signalized itself by an insane and piratical invasion of Cuba. Fortunately, the number of those who wished to repeat the mad experiment was found to be so contemptibly small, that their votes would not be worth purchasing.

Remove the constant pressure of a formidable opposition,

take away the dread of surrendering any advantage, however slight, to the adverse party, and the dominant party will not feel itself constrained to adopt these extreme measures, to make these disgraceful concessions, or to plunge the country into a war, for the sake of preserving its own superiority at home. Strict party discipline will no longer be enforced ; members of Congress will be allowed sometimes to vote according to their consciences ; individuals will seek to acquire honor and station by some more creditable means than mere subserviency to the interests of a faction, which has no higher end in view than the attainment of office. To oppose the party which is in possession of the government, whether its conduct be right or wrong, is a sure method of driving it into wrong, in self-defence. So, also, in the Presidential election ; if a rival candidate is to take the field at all events, whether the nomination be a good one or not, then the party will feel itself compelled to put forward, not the most capable and deserving person, but the most available one. On the other hand, let it be generally understood that no organized opposition will be made, if one of the more eminent and respectable members of the party should be selected as a candidate, and those who have this selection to make, for the sake of their own credit, will be sure to make a good one. To allow one or more of the elections to pass without a contest, would also be the best policy for those who seek the aid and countenance of the general government for one or more of the great interests of the country, or to advance some scheme of public utility. At present, it is notorious that the attention of Congress cannot be diverted from the discreditable game of party tactics and the indecent scramble for office, to any of the great measures affecting the welfare of the whole country. The greater part of the session is consumed in making speeches avowedly intended to affect the elections, or in calling the yeas and nays, and contesting points of order, in order to stave off a discussion or a vote. Take away party hostility, and these scenes will not be of so frequent occurrence, and perchance a little time may be gained for the consideration of subjects so momentous as the tariff, the currency, the proper disposal of the public lands, the fisheries, and reciprocity of trade with the British Colonies.

But Mr. Calhoun's speculations have already led us farther than we have been accustomed to venture into the discussion of the party politics of the hour. We return to his volume, however, only for the purpose of taking leave of it with an expression of sincere respect for the frankness and ability with which it is written, and for the honesty of the author's purposes, however we may dissent from many of his opinions. We have not even noticed his elaborate argument for the Constitutionality of the doctrine, that every State has the right of interposing an absolute negative upon the proceedings of Congress. It implies no disrespect to his memory to say, that the time for this discussion is past, and that the question has been definitively settled against him. What he could not accomplish when contending, with the whole vigor of his intellect and the great weight of his character, in his favorite arena, the Senate, before a tribunal composed exclusively of representatives of the States, certainly cannot be effected by a posthumous publication, which men may read, though they may not care to answer. The doctrine of Nullification is buried in the grave of its most illustrious defender.

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ART. IX. — *Remarks on the Production of the Precious Metals, and on the Depreciation of Gold.* By M. MICHEL CHEVALIER, Member of the Institute of France, &c. Translated by D. FORBES CAMPBELL, Esq. London: Smith, Elder, & Co. 1853. 8vo. pp. 117.

M. CHEVALIER stands at the head of the political economists of France. He is eminent not only for his thorough knowledge of the theory of the science, but for his familiarity with statistical details, and for the successful manner in which he has applied them to the elucidation and proof of the leading doctrines of political economy. It was, indeed, as a statistical writer that he first became distinguished, and gained the high honor of membership of the French Institute. His work upon the resources of this country, in particular, is an